

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Rick Fisher and Rosella Fisher,	)	
	)	
Plaintiffs,	)	<b>ORDER SETTING</b>
	)	<b>SCHEDULING CONFERENCE</b>
vs.	)	
	)	
	)	
Continental Resources, Inc.	)	
	)	Case No.: 1:13-cv-097
Defendant.	)	

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On August 14, 2014, the court issued an order suspending all existing discovery deadlines and cancelling the final pretrial conference and jury trial pending further settlement discussion, and, if necessary, the court's decision on defendant's motion for summary judgment. On September 8, 2014, the court issued an order denying defendant's summary judgment motion.

Accordingly, the court will hold a scheduling conference on October 2, 2014 at 10:30 a.m. to reset any necessary scheduling/discovery deadlines and to choose new dates for the final pretrial conference and jury trial. The scheduling conference will held by telephone conference call to be initiated by the court.

In preparation for the conference, counsel shall submit to the magistrate judge a joint proposed amended scheduling/discovery plan. Counsel shall e-mail the document in "WordPerfect" or in "Word" format to [ndd\\_J-Miller@ndd.uscourts.gov](mailto:ndd_J-Miller@ndd.uscourts.gov) before the scheduling conference. Any disagreements among counsel shall be addressed at the scheduling conference.

In addition, if the parties wish to resume formal settlement discussions (either through a second "in person" settlement conference or by separate telephone conferences with the parties and

the court) counsel should so advise chambers.

**IT IS SO ORDERED.**

Dated this 9th day of September, 2014.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.

United States Magistrate Judge